

# State of South Dakota

EIGHTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2009

481Q0170

## HOUSE JUDICIARY ENGROSSED NO. **HB 1163** 2/11/2009

Introduced by: Representatives Van Gerpen, Boomgarden, Carson, Feickert, Gibson, Hunhoff (Bernie), Jensen, Juhnke, Moser, Novstrup (David), Putnam, Sly, Steele, Thompson, Vanderlinde, and Verchio and Senators Hanson (Gary), Bartling, Frysliie, and Miles

1 FOR AN ACT ENTITLED, An Act to excuse certain elderly persons from jury duty upon  
2 request and to revise certain provisions relating to the minimum age for jury service.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 16-13-10 be amended to read as follows:

5 16-13-10. Any citizen of this state, who is a resident of the county or jury district where the  
6 jury is selected, eighteen years of age or older ~~prior to January first of the year of jury service,~~  
7 of sound mind and who is able to read, write, and understand the English language, is eligible  
8 to serve as a juror. However, any person eighty years of age or older may request to be excused  
9 from the duty to report for jury duty for a specific trial if weather conditions pose a risk to the  
10 person's welfare, or such person may request to be excused from the jury panel if the service as  
11 a juror would cause the person substantial stress. The judge shall give substantial weight to the  
12 request to be relieved from the specific call to jury duty or from the jury panel, balancing the  
13 person's request with the need to impanel a jury. Any member of the clergy, as defined in § 19-



1 13-16, if jury service conflicts with religious belief, is exempt from jury duty. Any member of  
2 a church or religious organization is exempt from jury duty if jury service conflicts with the  
3 religious belief of that church or religious organization. Any person who has been convicted of  
4 a felony unless restored to civil rights is not eligible to serve as a juror. No potential juror may  
5 be excluded from jury duty because of a visual or hearing impairment.